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Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of the United Arab Emirates*

A. Purpose and general obligations (arts. 1-4)

1. With reference to the outcome of the 2005 census, please explain the low proportion of persons with disabilities in the State party and why this proportion is much higher among non-citizens. Has any new census of persons with disabilities been conducted since 2005?

2. Please provide a timetable for bringing all laws in line with the Convention and for replacing the medico-legal approach to disability with a human rights model of disability.

3. Please indicate the steps taken to eliminate derogatory terminology in laws, policies and government discourse referring to persons with disabilities as being of feeble or unsound mind, insane or deaf and dumb.

4. Please explain how the inclusion and participation of persons with disabilities through their representative organizations is guaranteed in all decision-making processes that affect their lives.

B. Specific rights

Equality and non-discrimination (art. 5)

5. Please indicate the steps taken to incorporate a definition of reasonable accommodation within the law, including the explicit recognition that the denial of reasonable accommodation constitutes disability-based discrimination.

Women with disabilities (art. 6)

6. Please indicate the steps taken to amend the law on personal status and to ensure that women and girls, including women and girls with disabilities, enjoy rights within the family on an equal basis with men.

7. Please provide information on State programmes promoting equal rights for women and girls, notably the National Strategy for the Empowerment and Advancement of Emirati

* Adopted by the pre-sessional working group at its fifth session (21-24 March 2016).

Women (2015-2021), and explain how these programmes have contributed to improving the situation of women and girls with disabilities.

Children with disabilities (art. 7)

8. Please explain how the State party involves children with disabilities in decisions that affect them and enables them to freely express their opinions. Please provide information on children with disabilities abandoned at birth and the measures taken by the State party in this respect.

Awareness-raising (art. 8)

9. What measures are being taken by the State party to promote a positive image of persons with disabilities? Please also explain how public campaigns and training programmes are designed to eliminate disability-related prejudices and stereotypes and to move from a charity and medical approach to a human rights approach to disability.

Accessibility (art. 9)

10. Please provide information on binding accessibility requirements and on measures taken to render public transport accessible throughout the country. Please also provide information on legal sanctions for non-compliance with accessibility standards and guidelines and on cases where these sanctions have been applied during the past three years.

Equal recognition before the law (art. 12)

11. What steps are being taken to repeal legislative provisions that make it possible to restrict and deny the legal capacity of persons with disabilities, notably those contained in Federal Act No. 29 of 2006 as amended by Federal Act No. 14 of 2009, the Code of Civil Procedure, the Criminal Code and the Federal Act No. 28 of 2005? Please indicate the time frame for abolishing the concept of male guardianship.

Access to justice (art. 13)

12. Please indicate what procedural accommodations exist in the justice system, including professional sign language, interpretation and information in easy-to-read and Braille formats. Please also indicate the measures taken to address the challenges faced by women, especially non-citizen women, in accessing justice when they report having experienced violence. What training is available and has been conducted for law enforcement and judicial officers?

Liberty and security of the person (art. 14)

13. Please clarify which laws and policies permit the deprivation of liberty without consent of persons with disabilities, including through hospitalization and institutionalization, for the purposes of treatment, care or protection, among others.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

14. Please indicate the steps taken to abolish the provisions of Federal Act No. 10 of 2008 on medical liability and of other laws that allow guardians or legal representatives to consent to medical research or experiments on behalf of persons with disabilities.

Freedom from exploitation, violence and abuse (art. 16)

15. Please indicate the steps taken to: prohibit and criminalize the corporal punishment of children, including children with disabilities, in all settings; to criminalize marital rape; and to repeal the right of husbands to "chastise" their wives, including those with disabilities.

16. Please provide information on accessible complaints mechanisms and victim support services that are available throughout the country, including to children and adolescents with disabilities. Please also provide information on training activities organized on preventing and addressing violence against persons with disabilities.

Protecting the integrity of the person (art. 17)

17. What steps are being taken to amend article 13 of Federal Act No. 10 of 2008 to prohibit the forced sterilization of all persons, including women and girls with disabilities, as well as sterilization with the consent of a third party?

Liberty of movement and nationality (art. 18)

18. Please provide data on the nationality status of Bidouns, including those with disabilities, and their access to services, including social protection. What percentage of Bidoun children with disabilities have a birth certificate and are able to exercise all their rights under the Convention?

Living independently and being included in the community (art. 19)

19. Please indicate the measures taken to build up community-support services enabling independent living and to ensure that those who so require can have access to personal assistance. Please provide data on the number of persons with disabilities living in care and rehabilitation centres and on the number of persons who have moved from such centres to live in the community during the past three years.

Freedom of expression and opinion, and access to information (art. 21)

20. Please indicate the measures taken to consult with the deaf community in the process of unifying sign languages in the Arab region. Please provide information on steps taken to develop augmentative and alternative communication in the State party and to support certification and training for sign language interpreters.

Respect for home and the family (art. 23)

21. Please indicate the steps taken to repeal legislation that restricts marriage on the basis of disability and to abolish the requirement to undergo a prenuptial medical examination in order to receive a financial assistance grant. Please explain what steps the State party is taking to provide adequate support to families of children with disabilities or adults who require a high degree of support.

Education (art. 24)

22. What measures have been taken to redirect resources from segregated education to quality, accessible and inclusive education and to ensure the compulsory training of all teachers on inclusive education and teaching children with disabilities, as an integral part of core teacher training curricula in universities.

Health (art. 25)

23. Please provide information on the measures taken to repeal legislation that violates the right of persons with disabilities to free and informed consent in relation to medical treatment and to enact legislation that explicitly recognizes this right for persons with disabilities, including persons with intellectual and psychosocial disabilities.

Habilitation and rehabilitation (art. 26)

24. Please provide information on the degree to which non-citizens with disabilities, including Bidouns, have access to health, rehabilitation and support services and to technical aides and assistive devices, and the cost of accessing such services and devices for non-citizens.

Work and employment (art. 27)

25. Please provide detailed information on the number of migrant workers, especially domestic workers, who have acquired an impairment as a result of their work in the State party and what compensation they have received. Please indicate the timetable for ensuring that these workers are protected by labour law and no longer subjected to working conditions under the *kafalah* system.

Adequate standard of living and social protection (art. 28)

26. Please explain the availability of social protection programmes and housing for non-citizens with disabilities, including Bidouns, in the State party. Please clarify whether social protection programmes and benefits cover the cost of personal assistance services.

Participation in political and public life (art. 29)

27. What steps are being taken to remove restrictions on and guarantee the right of all persons with disabilities to vote? Please provide information on the measures taken to promote the participation of persons with disabilities in civic and political processes.

C. Specific obligations

Statistics and data collection (art. 31)

28. Please provide information on plans to improve the collection and dissemination of national data systematically disaggregated by disability, sex, age and nationality on the situation of all persons with disabilities across all areas, including in respect of violence.

National implementation and monitoring (art. 33)

29. Please provide information on the appointment of an independent national monitoring body within the State party and indicate how organizations of persons with disabilities have been involved in that process.